

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

AMERICAN INTERNATIONAL
GROUP, INC., *et al.*,

Plaintiffs,

VS.

ACE INA HOLDINGS, INC., *et al.*,

Defendants.

Case No. 07 CV 2898

District Judge Robert W. Gettleman

Magistrate Judge Sidney I. Schenkier

SAFECO INSURANCE COMPANY OF AMERICA, *et al.*, individually and on behalf Of a class consisting of members of the National Workers Compensation Reinsurance Pool,

Plaintiffs,

VS.

AMERICAN INTERNATIONAL GROUP,
INC., *et al.*,

Defendants.

Case No. 09 CV 2026

District Judge Robert W. Gettleman

Magistrate Judge Sidney I. Schenkier

**LIBERTY MUTUAL'S RESPONSE TO
THE COURT'S DECEMBER 21, 2011 ORDER**

Liberty Mutual¹ hereby responds to the Court's order of December 21, 2011.

¹ “Liberty Mutual” refers to Liberty Mutual Insurance Company, Liberty Mutual Fire Insurance Company, Liberty Insurance Corporation, The First Liberty Insurance Corporation, Employers Insurance Company of Wausau, Wausau Business Insurance Company, Wausau General Insurance Company and Wausau Underwriters Insurance Company.

1. The Court's December 21, 2011 Order granted Liberty Mutual's fees and costs Liberty Mutual incurred to "create, discover, increase, or preserve" the common fund, up to, but not including, May 8, 2010. Dckt 589, *quoting In re Diet Drugs*, 582 F.3d 524, 540 (3d Cir. 2009).

2. Liberty Mutual was further directed to provide the court with a calculation of such fees and costs, along with corresponding billing statements, on or before January 6, 2012.

3. The calculation and supporting billing statements of Liberty Mutual's fees and costs incurred which satisfy the Court's order are hereby attached and described in the attached Supplemental Declaration of James A. Morsch, and the exhibits attached thereto.² Liberty Mutual's attorneys fees and costs for the period in question total \$2,001,662.08.

² Liberty Mutual hereby provides the Court its fees and costs incurred before May 8, 2010, as ordered by the Court. Liberty Mutual is not seeking reimbursement for any fees or costs other than those sought in its original Fee Petition.

Date: January 6, 2012

Respectfully submitted,

LIBERTY MUTUAL INSURANCE COMPANY,
LIBERTY MUTUAL FIRE INSURANCE
COMPANY, LIBERTY INSURANCE
CORPORATION, THE FIRST LIBERTY
INSURANCE CORPORATION, EMPLOYERS
INSURANCE COMPANY OF WAUSAU,
WAUSAU BUSINESS INSURANCE
COMPANY, WAUSAU GENERAL
INSURANCE COMPANY AND WAUSAU
UNDERWRITERS INSURANCE COMPANY

By: /s/ James A. Morsch

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CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that a copy of the foregoing **LIBERTY MUTUAL'S RESPONSE TO THE COURT'S DECEMBER 21, 2011 ORDER** was served upon all counsel of record in this action via the U.S. District Court CM/ECF e-filing system on January 6, 2012.

/s/ James A. Morsch

James A. Morsch